



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARK  
Washington, D.C. 20231

| APPLICATION NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO. |
|--------------------|-------------|-----------------------|---------------------|
| 09/714774          | 11/16/2000  | W.S. KERKER           | 9974/55             |

| EXAMINER       |
|----------------|
| F. J. BARTUSKA |

| ART UNIT | PAPER NUMBER |
|----------|--------------|
| 3652     | 17           |

DATE MAILED:

### INTERVIEW SUMMARY

All participants (applicant, applicant's representative, PTO personnel):

- (1) MR. JAMES KATZ (3) MR. M. FILIGENZI  
(2) F. J. BARTUSKA (4) \_\_\_\_\_

Date of Interview 2-4-04

Type: ☐ Telephonic ☐ Televideo Conference ☒ Personal (copy is given to ☐ applicant ☒ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☒ No If yes, brief description: \_\_\_\_\_

Agreement ☐ was reached. ☒ was not reached.

Claim(s) discussed: 1-126

Identification of prior art discussed: SLOTZNICK

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: A PROPOSED AMENDMENT TO THE CLAIMS INCLUDING SEPARATE RECURRENCES FOR PLURAL SEPARATE ORDERS. THE EXAMINER INDICATED THAT THIS WOULD INVOLVE NEW ISSUES AND RESULT IN AN ADVISORY ACTION.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

☐ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary. A FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

Examiner Note: You must sign this form unless it is an attachment to another form.

*[Signature]*  
2-4-04

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                                |   |                          |
|--------------------------------|---|--------------------------|
| In re Application of:          | ) |                          |
|                                | ) |                          |
| Kerker, et al                  | ) |                          |
|                                | ) | Examiner:                |
| Serial No. 09/714,774          | ) | F. Bartuska              |
|                                | ) |                          |
| Filing Date: November 16, 2000 | ) | Group Art Unit No.: 3627 |
|                                | ) |                          |
| For SYSTEM AND METHOD FOR      | ) |                          |
| MANAGING RECURRING             | ) |                          |
| ORDERS IN A COMPUTER           | ) |                          |
| NETWORK                        | ) |                          |

**INTERVIEW SUMMARY**

On February 4, 2003 an in-person interview was conducted. Participating in the interview were James L. Katz, attorney for applicants, Marc Filigenzi, Alticor in-house counsel, and Primary Examiner Francis Bartuska.

During the interview, the following points were discussed:

- I. Mr. Katz and Mr. Filigenzi presented an overview of Quixtar's Ditto Delivery system;
- II. Mr. Katz and Mr. Filigenzi presented an overview of Applicants' amended claims;
- III. Mr. Katz and Mr. Filigenzi next discussed the cited Slotznick reference, specifically pointing out the limitations of Applicants' amended claims that are not disclosed;
- IV. Primary Examiner Bartuska agreed that the Slotznick reference does not disclose the limitations of Applicants' amended claims;
- V. Mr. Katz and Mr. Filigenzi further pointed out, and Primary Examiner Bartuska agreed, that the amended claims were similar in subject matter to the previous claims and that no new searches would be necessary.